

Notice of Allowability

Application No.
09/384,646

Applicant(s)
Birnie et al.

Examiner
Rafael Perez-Gutierrez

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--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendment filed on May 15, 2003.
2. ☒ The allowed claim(s) is/are 1-18.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____
5. ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☒ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☒ including changes required by the proposed drawing correction filed May 15, 2003, which has been approved by the examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment/Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449), Paper No(s). _____ | 6 <input type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| 9 <input type="checkbox"/> Other | |

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DETAILED ACTION

1. This Action is in response to Applicant's amendment filed on May 15, 2003. **Claims 1-18** are now pending in the present application.

Drawings

2. The proposed drawing corrections filed on May 15, 2003 have been approved by the Examiner.

Allowable Subject Matter

3. **Claims 1-18** are allowed and they were renumbered 12, 13, 18, 16, 17, 15, 14, 5, 6, 11, 9, 10, 8, 7, 3, 4, 1, and 2, respectively.

4. The following is an Examiner's statement of reasons for allowance:

Consider **claim 1**, the best prior art found during the examination of the present application, **Dufour (U.S. Patent # 6,073,010)**, fails to specifically disclose, teach, or suggest a method for alerting a wireless terminal user of a handoff of a call from a first communication service station to a second communication service station, said alert being performed during the call, and said method comprising, in combination with other steps recited in the claim, the step of

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determining, at a wireless terminal, whether a received identifier of the second communication service station is at least one of a collection of acceptable identifiers.

Consider claim 8, the best prior art found during the examination of the present application, Dufour (U.S. Patent # 6,073,010) in view of Bartle et al. (U.S. Patent # 6,018,655), fails to specifically disclose, teach, or suggest a method for alerting a wireless terminal user of a handoff of a call from a first communication service station to a second communication service station, said alert being performed during the call, and said method comprising, in combination with other steps recited in the claim, the step of determining, at a wireless terminal, whether a received identifier of the second communication service station is at least one of a collection of acceptable identifiers.

Consider claims 15 and 17, the best prior art found during the examination of the present application, Mizikovsky (U.S. Patent # 5,255,307) in view of Barber et al. (U.S. Patent # 5,442,806), and further in view of Bartle et al. (U.S. Patent # 6,018,655), fails to specifically disclose, teach, or suggest a wireless terminal that alerts a user of a handoff of a call from a first communication service station to a second communication service station, said alert being performed during the call, and said wireless terminal, in combination with other components recited in the claims, comprising:

a memory containing a collection of acceptable identifiers; and

a processor that determines if a received identifier of the second communication service station is at least one of the collection of acceptable identifiers and activates an audible or

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vibrating alert during the call if the received identifier is not at least one of the collection of acceptable identifiers.

Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

5. The application having been allowed, formal drawings are required in response to this Office Action.

Conclusion

6. Any response to this Office Action should be faxed to (703) 872-9314 or mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Hand-delivered responses should be brought to

Crystal Park II
2021 Crystal Drive
Arlington, VA 22202
Sixth Floor (Receptionist)

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7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Rafael Perez-Gutierrez whose telephone number is (703) 308-8996. The Examiner can normally be reached on Monday-Thursday from 6:30am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, William G. Trost IV can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700 or call customer service at (703) 306-0377.


Rafael Perez-Gutierrez
R.P.G./rpg **RAFAEL PEREZ-GUTIERREZ**
PATENT EXAMINER

June 12, 2003


WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600